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Hearing Date: October 31, 2018  
Hearing Time: 10:00 a.m. (EST)  
Objections Due: October 23, 2018  
Objection Time: 4:00 p.m. (EST)

*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

**CERTIFICATE OF NO OBJECTION TO  
TWENTY-THIRD OMNIBUS MOTION TO OVERRULE OBJECTIONS OF  
CLAIMANTS WHO INVESTED MORE THAN THEY WITHDREW**

Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the chapter 7 estate of Bernard L. Madoff, by and

through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On September 27, 2018, the Trustee filed the Twenty-Third Omnibus Motion to Overrule Objections of Claimants Who Invested More than they Withdrew (the “Motion”) (ECF No. 18040), together with the Declaration of Vineet Sehgal (ECF No. 18041) in support of the Motion.

2. The deadline for filing objections to the Motion expired on October 23, 2018 at 4:00 p.m.

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to (i) claimants listed in Exhibit B annexed to the Motion (the “Claimants”); (ii) all parties included in the Master Service List as defined in the Order Establishing Notice Procedures (ECF No. 4560) (the “Notice Procedures Order”); (iii) all parties that have filed a notice of appearance in this case; (iv) the SEC; (v) the IRS; (vi) the United States Attorney for the Southern District of New York; and (vii) the Securities Investor Protection Corporation, pursuant to the Notice Procedures Order.

4. On or about October 12, 2018, the Trustee received a request from FGLS Equity LLC (“FGLS”) to adjourn the hearing regarding the portion of the Motion addressing FGLS’s claim and related objection (ECF No. 11976) (the “Claim and Objection”) and extend the time for FGLS to file an objection to the Motion (the “Adjournment Request”).

5. On October 15, 2018, the Trustee and FGLS entered into a stipulation (the “Stipulation”) agreeing to adjourn the hearing regarding the portion of the Motion addressing FGLS’s Claim and Objection to November 28, 2018 at 10:00 a.m. and extend the time for FGLS to file an objection to the Motion to November 5, 2018.

6. On October 16, 2018, the Court so ordered the Stipulation (ECF No. 18072).

7. Counsel for the Trustee reviewed the Court's docket not less than forty-eight (48) hours after expiration of the time to file an objection, and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion, other than the Adjournment Request, appears thereon. Additionally, no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion.

8. An electronic copy of a proposed order (the "Order"), that is substantially in the form of the proposed order that was annexed to the Motion, and Exhibit A thereto, and which excludes FGLS's Claims and Objection, will be submitted to the Court along with this certificate.

9. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing.

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Dated: New York, New York  
October 26, 2018

Respectfully submitted,

/s/ David J. Sheehan

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